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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION**

AMERICAN FEDERATION OF
GOVERNMENT EMPLOYEES, AFL-CIO, *et al.*,

Plaintiffs,

v.

DONALD J. TRUMP, in his official capacity as
President of the United States, *et al.*,

Defendants.

Case No. 3:25-cv-03070-JD

**[PROPOSED] ORDER GRANTING
TEMPORARY RESTRAINING
ORDER AND ORDER TO SHOW
CAUSE WHY A PRELIMINARY
INJUNCTION SHOULD NOT ISSUE**

1 Plaintiffs' application for a temporary restraining order and order to show cause why a
2 preliminary injunction should not issue came before this Court for consideration on
3 _____, 2025. Upon consideration of Plaintiffs' motion for a
4 temporary restraining order, accompanying memorandum of points and authorities, and
5 declarations, it is hereby

6 **ORDERED** that the motion is **GRANTED**. It is further

7 **ORDERED** that Agency Defendants and Agency Head Defendants and their agents and
8 successors are enjoined from implementing or otherwise giving effect to the March 27 Executive
9 Order entitled "Exclusions From Federal Labor-Management Relations Programs," ("Exclusion
10 Order") including, without limitation, by:

- 11 (1) Refusing to recognize as exclusive representatives of bargaining unit employees
12 unions who were certified exclusive representatives prior to the Exclusion Order;
- 13 (2) Terminating or otherwise treating as ineffective collective bargaining agreements
14 (CBAs) that were in effect prior to the Exclusion Order's issuance;
- 15 (3) Suspending or terminating voluntary payroll dues deductions for union members or
16 refusing to process dues deduction requests pursuant to 5 U.S.C. § 7115;
- 17 (4) Eliminating the use of official time as set forth in Chapter 71 of Title 5 and binding
18 CBAs and reassigning employees who performed official time pursuant to Section
19 6(a) of the Exclusion Order;
- 20 (5) Refusing to participate in proceedings before the Federal Labor Relations Authority;
21 and
- 22 (6) Terminating or otherwise refusing to participate in grievance and arbitration
23 procedures set forth in CBAs that were in effect prior to the Exclusion Order's
24 issuance. It is further

25 **ORDERED** that the Secretary of Transportation is enjoined from issuing orders
26 excluding subdivisions of the Department of Transportation pursuant to Section 5 of the
27 Exclusion Order. It is further

28 **ORDERED** that Defendant agency heads are enjoined from submitting reports

1 identifying additional subdivisions to be excluded from Chapter 71 pursuant to Section 7 of the
2 Exclusion Order. It is further

3 **ORDERED** that Defendants are directed to rescind any and all guidance or direction that
4 has already issued that relates to implementing or enforcing the Exclusion Order, including the
5 March 27 Memorandum from Charles Ezell to Heads and Acting Heads of Departments and
6 Agencies entitled “Guidance on Executive Order *Exclusions from Federal Labor-Management*
7 *Programs.*” It is further

8 **ORDERED** that Defendants are directed to provide written notice of this Order to all
9 exclusive representatives and bargaining unit employees affected by the Exclusion Order. It is
10 further

11 **ORDERED** that Defendants shall file a status report within three days of the entry of this
12 order, apprising the Court of the status of their compliance with this Order, including by
13 providing a copy of the written notice described above. It is further

14 **ORDERED** that the parties shall meet and confer and file a joint status report proposing
15 a preliminary injunction briefing schedule within three days of the entry of this Order. It is
16 further

17 **IT IS SO ORDERED.**

18
19 Dated: _____, 2025

The Honorable James Donato
UNITED STATES DISTRICT COURT JUDGE